

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION, AS :  
TRUSTEE, AS SUCCESSOR IN INTEREST :  
TO BANK OF AMERICA, NATIONAL :  
ASSOCIATION, AS SUCCESSOR BY :  
MERGER TO LASALLE BANK NATIONAL :  
ASSOCIATION, AS TRUSTEE FOR THE :  
REGISTERED HOLDERS OF CD 2006-CD3 :  
COMMERCIAL MORTGAGE PASS :  
THROUGH CERTIFICATES :

*Plaintiff* :

v. :

RENAISSANCE LAND ASSOCIATES, L.P. :

*Defendant* :

CIVIL ACTION

NO. 13-04362

FILED

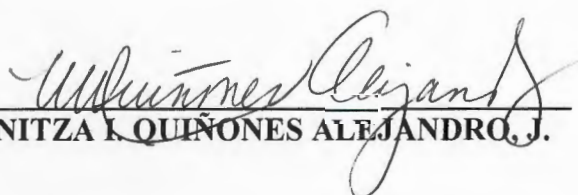
OCT 25 2013

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

ORDER

AND NOW, this 25<sup>th</sup> day of October, 2013, upon consideration of Defendant's *motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6)* [ECF 6], Plaintiff's response thereto [ECF 8], Defendant's reply [ECF 9], and the allegations contained in the complaint [ECF 1], it is hereby **ORDERED** that this motion to dismiss is **GRANTED**, and Plaintiff's complaint is **DISMISSED**, without prejudice, to Plaintiff's right to re-file in the appropriate state court in Montgomery County, Pennsylvania.

BY THE COURT:

  
NITZA I. QUINONES ALEJANDRO, J.